

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FALCON INDUSTRIES,

Plaintiff,

v.

LEAPERS, INC.,

Defendant.

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Case No. 2:08-cv-52

ORDER GRANTING JOINT MOTION TO DISMISS WITH PREJUDICE

ON THIS DATE CAME ON FOR CONSIDERATION the Joint Motion to Dismiss, and the Court being apprised of the grounds therefor and being of the opinion that said motion should be granted, it is therefore

ORDERED, ADJUDGED AND DECREED that all claims and counter-claims asserted by the Plaintiff Falcon Industries and Defendant Leapers, Inc. in this cause are hereby dismissed with prejudice to the right to refile any such claims in the future.

Each party shall bear its own costs and attorneys' fees expended in connection with this suit.

SIGNED this 2nd day of December, 2008.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE